

REMARKS/ARGUMENTS

Upon entry of this Amendment, Claims 45-52, 54, 58-70, 74-81, 83-92, 96-108 and 112-119 will be pending in the application. Claims 28, 29, 32-35, 38-40, 43, 53, 55, 71, 93 and 109 have been canceled by the present Amendment without prejudice, and with the understanding that the subject matter thereof may be presented in a continuation application. Claims 30, 31, 36, 37, 41, 42, 44, 56, 57, 72, 73, 82, 94, 95, 110, 111 and 120 were previously canceled.

35 U.S.C. § 132

In the November 17, 2006 Office Action, Claims 28, 34, 39, 55, 71, 93 and 109 were objected to under 35 U.S.C. § 132(a). Claims 28, 34, 39, 55, 71, 93 and 109 have been canceled by the present Amendment, thereby obviating this objection.

With respect to Claim 91, the Office Action states that the specification does not disclose a network that is a modem. Applicant respectfully traverses this objection. Claim 91, which depends from Claim 83, recites that "said network comprises a modem". Basis for this recitation is provided in the specification, for example, at page 5, line 12 to page 6, line 2; page 7, lines 26 and 27; page 9, lines 3-7; and Fig. 2, elements 106, 170 and 171. Since the specification adequately discloses that the network for transferring data can include modems, Claim 91 does not recite new matter.

35 U.S.C. § 112

In the Office Action, Claims 28, 29, 32-35, 38-40, 43, 55, 71, 93 and 109 were rejected under 35 U.S.C. § 112, first paragraph. Those claims have been canceled, thereby obviating this rejection.

Claims 28, 34, 38, 39, 53, 78, 80, 116 and 118 were rejected under 35 U.S.C. § 112, second paragraph. Claims 28, 34, 38, 39 and 53 have been canceled, thereby obviating the rejection of those claims.

As to Claims 78 and 116, the Examiner considers the claims indefinite due to the presence of the term "controlled" in their preambles. The Examiner questions how it can be recited that the processor is controlling the conducting of the transactions that are conducted

through separate entities. The computer readable media recited in Claims 78 and 116 enable the recited financial accounting methods to be performed. The preambles of the claims have been amended to replace “controls” with “enables”, and are clear to those skilled in the art.

With respect to Claims 80 and 118, the Office Action states that the recited “means for providing access to said at least one file of said financial accounting computer” is not clear as to what structure disclosed in the specification is covered by this language. While Applicant submits that the specification adequately describes the corresponding structure, including pass codes, Claims 80 and 118 have been amended to delete the phrase “means for providing” and to recite that the financial accounting computer is programmed to provide interactive access to the at least one file of the financial accounting computer.

The Office Action further objects to the language “means for establishing data inputs” recited in Claims 80 and 118. Applicant submits that the specification adequately describes structure corresponding to the recited means for establishing data inputs. However, Claims 80 and 118 have been amended to remove the “means for establishing data inputs” language.

Applicant submits that Claims 80 and 118 meet the requirements of 35 U.S.C. § 112, second paragraph.

35 U.S.C. §§ 102 and 103

Claims 28, 29, 32, 34, 35, 39, 40 and 43 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Brown et al. ‘055, while Claims 33 and 38 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brown et al. ‘055. These claims have been canceled, thereby obviating the rejections based upon Brown et al. ‘055.

Claims 45-55, 58-71, 74-81, 83-93, 96-109 and 112-119 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lawlor et al. ‘501. According to the Office Action:

Lawlor discloses a financial accounting computer 52 (that has more than one file) and a plurality of financial transaction computers 54. The transaction computers 54 are programmed to receive data inputs (via a means for establishing inputs such as a keyboard or data entry device) as claimed and are disclosed as transferring the data inputs (transaction instructions) to the accounting computer 54 (for example see column 7,

lines 5-24). The network is 56 and/or 62 (means for transferring the data inputs). The financial transaction computers 54 are programmed to provide interactive access to the file of the accounting computer because it is disclosed that there is a security function that requires users to identify themselves by the use of account numbers and a PIN. This is a way to provide interactive access as claimed (means for providing interactive access). Once the user has access, the user and/or agent can enter data inputs (a new financial transaction such as a transfer of funds or a bill payment), process the data by reviewing the data, adjusting data (changing the amount of a periodic bill that is automatically paid), and deleting data (informing the bank of an incorrect charge that you did not make and having it corrected). A user can perform any and all of the recited functions.

Lawlor et al. '501 discloses a method and system for remote delivery of retail banking services rather than accounting methods and systems as presently claimed. As shown in Figs. 1 and 1A of Lawlor et al. '501, users are provided with remote terminals (54) which communicate with a central computer (52) in order to allow the users to conduct routine banking functions. Fig. 3 shows the details of one of the remote terminals.

The remote terminal (54) of Lawlor et al. '501 is not a financial transaction computer as recited in independent Claims 45, 61, 78, 80, 83, 99, 116 and 118. As understood by those skilled in the art, a "computer" is "a device that computes, especially a programmable electronic machine that performs high-speed operations or assembles, stores, correlates, or otherwise processes information". *The American Heritage College Dictionary*, Third Edition. In contrast, a "terminal", such as the remote terminal (54) taught by Lawlor et al. '501, is "a device, often equipped with a keyboard and a video display, through which data or information can enter or leave a computer system". *Id.* The remote terminal (54) of Lawlor et al. '501 is connected to a central computer (52), but the remote terminal (54) is not a computer itself. As such, the remote terminal (54) of Lawlor et al. '501 does not read on the presently claimed financial transaction computer as proposed in the Office Action.

Furthermore, the central computer (52) of Lawlor et al. '501 is not a financial accounting computer as presently claimed. As understood by those skilled in the art, the term "accounting" means "bookkeeping methods involved in making a financial record of business transactions and in the preparation of statements concerning the assets, liabilities and operating

results of a business". *The American Heritage College Dictionary*, Third Edition. The central computer (52) of Lawlor et al. '501 performs retail banking functions and does not perform bookkeeping as understood by those skilled in the art of accounting. The disclosed central computer (52) is therefore distinct from the presently claimed financial accounting computer.

In addition to the above-noted distinctions, the remote banking system of Lawlor et al. '501 operates in an entirely different way than the presently claimed accounting systems and methods. Users interact with the remote terminals (54) of Lawlor et al. '501 in order to conduct retail banking functions through the central computer (52). In contrast, as recited in Claims 45, 61, 78, 80, 83, 99, 116 and 118, a user interactively accesses the financial accounting computer in order to enter, delete, adjust and/or process the electronically recorded financial transaction data on that computer. No such user interaction with a computer to perform accounting functions is taught or suggested by Lawlor et al. '501.

Accordingly, Claims 45, 61, 78, 80, 83, 99, 116 and 118, and the claims that depend therefrom, are patentable over Lawlor et al. '501.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that Claims 45-52, 54, 58-70, 74-81, 83-92, 96-108 and 112-119 meet the requirements of 35 U.S.C. § 112 and are patentable over the prior art of record. Accordingly, an early Notice of Allowance of this application is respectfully requested.

In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4340 to discuss such matters.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Alan G. Towner".

Alan G. Towner
Registration No. 32,949
Pietragallo Bosick & Gordon, LLP
One Oxford Centre, 38th Floor
301 Grant Street
Pittsburgh, PA 15219
Attorney for Applicant

(412) 263-4340